

ORIGINAL

STENOGRAPHIC TRANSCRIPT OF PROCEEDINGS

BEFORE THE

Illinois Commerce Commission

DOCKET NO. 00-0182

IN THE MATTER OF: ILLINOIS COMMERCE COMMISSION ON ITS OWN MOTION

ILLINOIS
COMMERCE COMMISSION
MAR 13 4 15 PM '00
CHIEF CLERK'S OFFICE

PLACE: Springfield, Illinois

DATE: March 9, 2000

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OFFICIAL REPORTERS

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BEFORE THE
ILLINOIS COMMERCE COMMISSION

ILLINOIS COMMERCE COMMISSION,) DOCKET NO.
On Its Own Motion,) 00-0182
Regulation of Meter Service)
Providers.)

Springfield, Illinois
March 9, 2000

Met, pursuant to notice, at 10:00 A.M.

BEFORE:

MR. WALLACE, Examiner

APPEARANCES:

MR. TIMOTHY P. WALSH
130 East Randolph Drive
23rd Floor
Chicago, IL 60601

(Appearing on behalf of People's Energy
Services, Incorporated.)

MR. JOSEPH T. CLENNON
MS. LINDA F. BUELL
527 East Capitol Avenue
Springfield, IL 62794

(Appearing on behalf of the Staff of the
Illinois Commerce Commission.)

SULLIVAN REPORTING COMPANY, by
Tracy G. Bartolomucci, Reporter
Ln. #084-003861

1 APPEARANCES CONT.

2 MR. BRIAN ANDERSON

3 Hopkins & Sutter

4 3 First National Plaza

5 Suite 4100

6 Chicago, IL 60602

7 (Appearing on behalf of Commonwealth Edison
8 Company.)

9 MR. KARL ANDERSON

10 Jones, Day, Reavis & Pogue

11 77 West Wacker

12 Chicago, IL 60601

13 (Appearing on behalf of Central Illinois
14 Public Service Company and Union Electric
15 Company.)

16 MR. W. MICHAEL SEIDEL

17 Defrees & Fiske

18 200 South Michigan Avenue

19 Suite 1100

20 Chicago, IL 60604

21 (Appearing on behalf of Central Illinois
22 Light Company.)

MR. ROBERT JARED

106 East Second Street

P.O. Box 4350

Davenport, IA 52808

(Appearing on behalf of MidAmerican Energy
Company.)

MR. R. LAWRENCE WARREN

State of Illinois, Attorney General's Office

100 West Randolph

12th Floor

Chicago, IL 60601

(Appearing of behalf of the People of the
State of Illinois.)

1 APPEARANCES CONT.

2 MR. CHRISTOPHER J. TOWNSEND

3 MR. DAVID I. FEIN

4 Piper, Marbury, Rudnick & Wolfe

5 203 North LaSalle Street

6 Suite 1800

7 Chicago, IL 60601

8 (Appearing on behalf of eMeter, New Energy
9 Midwest, LLC, and Phaser Advanced Metering
10 Services.)

11 MR. ERIC BRAMLET

12 P.O. Box 278

13 Mt. Carmel, IL 62863

14 (Appearing on behalf of Mt. Carmel Public
15 Utility Company.)

16 MR. RANDY CLEMMONS

17 500 South 27th Street

18 Decatur, IL 62521-2200

19 (Appearing on behalf of Illinois Power
20 Company.)

21 MR. RONALD D. JOLLY

22 30 North LaSalle Street

Suite 900

Chicago, IL 60602

(Appearing via telephone on behalf of the
City of Chicago.)

MS. LEIJUANA DOSS

Cook County State's Attorney's Office

69 West Washington

Suite 700

Chicago, IL 60602

(Appearing via telephone on behalf of the
People of Cook County, Illinois.)

1 APPEARANCES CONT.

2 MR. JOSEPH P. WEBER

3 Mayer, Brown & Platt

4 190 South LaSalle Street

5 Chicago, IL 60603

6 (Appearing via telephone on behalf of
7 Northern Illinois Gas Company.)
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I N D E XWITNESSESDIRECT CROSS REDIRECT RECROSS

None.

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None.

P R O C E E D I N G S

EXAMINER WALLACE: Pursuant to the direction of the Illinois Commerce Commission, I now call Docket 00-0182. This is a matter of the Illinois Commerce Commission on its own motion concerning regulation of meter service providers.

May I have appearances for the record, please, starting in Springfield.

MR. WALSH: Timothy P. Walsh on behalf of People's Energy Services Corporation, 130 East Randolph Drive, Chicago, Illinois, 60601.

MS. BUELL: Linda F. Buell and Joseph T. Clennon on behalf of the Staff of the Illinois Commerce Commission, 527 East Capitol Avenue, Springfield, Illinois, 62701.

MR. BRIAN ANDERSON: Hopkins & Sutter by Brian Anderson appearing for Commonwealth Edison Company. Hopkins & Sutter is 3 First National Plaza, Suite 4100, Chicago, Illinois, 60602.

MR. KARL ANDERSON: Karl B. Anderson of Jones, Day, Reavis & Pogue, 77 West Wacker, Chicago, Illinois, 60601, appearing on behalf of Central

1 Illinois Public Service Company and Union Electric
2 Company.

3 MR. SEIDEL: W. Michael Seidel for the law
4 firm of Defrees & Fiske, 200 South Michigan Avenue,
5 Suite 1100, Chicago, Illinois, 60604, appearing on
6 behalf of Central Illinois Light Company.

7 MR. JARED: Robert P. Jared, J-a-r-e-d, 106
8 East Second Street, Post Office Box 4350, Davenport,
9 Iowa, 52808, appearing on behalf of MidAmerican
10 Energy Company.

11 MR. TOWNSEND: On behalf of NewEnergy
12 Midwest, LLC, Phaser Advanced Metering Systems, Inc.
13 and eMeter, the law firm of Piper, Marbury, Rudnick &
14 Wolfe, 203 North LaSalle, Chicago, Illinois, 60601,
15 by Christopher J. Townsend and David I. Fein.

16 MR. WARREN: R. Lawrence Warren from the
17 Attorney General's Office on behalf of the People of
18 the State of Illinois, 100 West Randolph, 12th Floor,
19 Chicago, 60601.

20 EXAMINER WALLACE: That was Warren?

21 MR. WARREN: Warren, W-a-r-r-e-n.

22 EXAMINER WALLACE: Thank you.

1 MR. BRAMLET: Eric Bramlet appearing on
2 behalf of Mt. Carmel Public Utility Company. My
3 address is Post Office Box 278, Mt. Carmel, Illinois,
4 62863.

5 EXAMINER WALLACE: Anyone else in
6 Springfield wish to enter an appearance?

7 MR. CLEMMONS: Randy Clemmons appearing on
8 behalf of Illinos Power Company, 500 South 27th
9 Street, Decatur, Illinois, 62521-2200.

10 EXAMINER WALLACE: Thank you. Anyone else
11 in Springfield?

12 Chicago appearances, please.

13 MR. JOLLY: On behalf of the City of
14 Chicago, Ronald D. Jolly, 30 North LaSalle, Suite
15 900, Chicago, Illinois, 60602.

16 MS. DOSS: Leijuana Doss, Cook County
17 State's Attorney's Office, 69 West Washington, Suite
18 700, Chicago, Illinois, 60602, appearing on behalf of
19 the people of Cook County.

20 MR. WEBER: On behalf of Northern Illinois
21 Gas Company, d/b/a Nicor Gas, Joseph Paul Weber of
22 Mayer, Brown and Platt, 190 South LaSalle Street,

1 Chicago, 60603.

2 EXAMINER WALLACE: Anyone else in Chicago?

3 All right. Preliminarily, does anyone
4 have any matters to bring up?

5 MR. CLENNON: Your Honor, if we could have
6 a moment off the record it would be helpful, I think.

7 EXAMINER WALLACE: All right. Let's go off
8 the record.

9 (Whereupon an off the record
10 discussion was held.)

11 EXAMINER WALLACE: Staff has proposed a
12 schedule. It was posted on the Web site. Are there
13 any objections to that schedule?

14 MS. BUELL: Mr. Examiner, we just have one
15 addition to the schedule that was posted on the Web
16 site, in addition to the workshop that was proposed
17 to be held on March 22nd, Staff proposes to hold an
18 additional workshop on March 21st.

19 EXAMINER WALLACE: Mr. Anderson?

20 MR. BRIAN ANDERSON: Yes. The only other
21 observation was that there's only a three week period
22 between the First Notice Rule of April 14th and the

1 May 8th date where the utilities are required to
2 prefile their tariffs and testimony.

3 Staff had previously indicated, and I
4 understand it's their intention still to post their
5 draft in advance of April 14th, I believe they
6 discussed the possibility of about the first week of
7 April, and with that understanding and recollection,
8 Com-Ed has no objection to the proposed schedule.

9 EXAMINER WALLACE: I'm sorry, what addition
10 was that or what posting are you talking about?

11 MR. BRIAN ANDERSON: I'm just reminding
12 people that I believe Staff had indicated that they
13 would try to put their draft rule for people to
14 look at around April 7th. The utilities find that
15 very important because we have to conform all our
16 tariffs and testimony to that. I don't believe it
17 requires any change to the proposed schedule here,
18 but we did just have a concern that we saw the Rule
19 for the first time as late as April 14th. That was
20 about a week difference than we talked about the last
21 time we were all together on 0013. That's all.

22 MR. CLENNON: Your Honor, Staff can work

1 very diligently to provide it the first week of April
2 so that the utilities can adjust their tariffs and
3 testimony in 0013, if necessary.

4 MR. BRIAN ANDERSON: We're very
5 appreciative of that.

6 EXAMINER WALLACE: All right. Then
7 hearing no objection, the schedule as posted to the
8 Web site, with the additional workshop on March 21st,
9 is adopted.

10 Any other matters?

11 MR. CLENNON: Would you care for an update?

12 EXAMINER WALLACE: Yes.

13 MR. CLENNON: Your Honor, this docket was
14 initiated with an initiating order --

15 EXAMINER WALLACE: Mr. Clennon, please
16 speak in the microphone.

17 MR. CLENNON: I'm not used to being so
18 important.

19 EXAMINER WALLACE: Well, you should appear
20 at bench sessions then.

21 MR. CLENNON: This docket was initiated
22 under an initiating order issued on the 24th day of

1 February. The initiating order required -- or
2 ordered that the Commission take administrative
3 notice of the Third Interim Order, as well as the
4 Staff report that was dated February 18th.

5 Pursuant to the Third Interim Order, as
6 well as the Staff report -- just a couple of things.
7 The third Commission conclusion on Page 20 of the
8 draft of the Interim Order I have, the Commission
9 believes its certification of MSPs, that's not in the
10 order, will ensure the same quality of metering
11 service that is currently being provided by electric
12 utilities. In addition to that, it states that MSPs
13 should adhere to the appropriate technical,
14 managerial, financial standards, as well as the
15 Commission alluded to ensuring that the reliability
16 of the electric, as well as safety of consumers, be
17 secured.

18 Once again, on Page 21, the Commission
19 order to initiate a separate proceeding under which
20 we're conducting workshops to establish the
21 appropriate technical, managerial and financial
22 qualifications. And the workshop is proceeding along

1 those lines.

2 In addition to that, the Commission
3 recognized that the standards and protocols must
4 comply with the requirements of the Public Utilities
5 Act, and that can be found on Page 22 of the Third
6 Interim Order.

7 Just a couple more. In addition to that,
8 the Staff report, that was accompanied with the
9 Interim Order and made part of the record, required
10 that the standards of such service are needed to
11 ensure that MSPs maintain the safety, reliability and
12 accuracy of metering that exists in Illinois electric
13 industry today. I am pleased to report that the
14 Staff has today issued a first draft of a Proposed
15 Rule for Certification of Meter Service Providers, as
16 well as the standards of service. Staff has
17 conducted numerous workshops along this line,
18 including those workshops that were contemplated
19 in -- carried out on 0013, and we intend to have
20 more.

21 Staff will have a first draft available for
22 public inspection on March 15th, which will ensure

1 the reliability, safety and accuracy that currently
2 exists today in the electric industry standard. And
3 I don't believe there will be any objection or any
4 modifications, but people can certainly comment if I
5 have misspoken.

6 EXAMINER WALLACE: Is there anything else?
7 Any further comments?

8 There were a number of Petitions for Leave
9 to Intervene that have arrived. Does anyone have any
10 objections to any of the petitions?

11 All right. The Petition to Intervene filed
12 by Mt. Carmel Public Utility Company is granted.

13 The Petition for Leave to Intervene filed
14 on behalf of Commonwealth Edison Company is granted.

15 The Petition For Leave to Intervene filed
16 on behalf of People's Energy Service Corporation is
17 granted.

18 The Petition for Leave to Intervene filed
19 on behalf of MidAmerican Energy Company is granted.

20 The Petition for to Leave Intervene filed
21 on behalf of Cook County State's Attorney is granted.

22 The Petition for Leave to Intervene filed

1 on behalf of Interstate Power Company, South Beloit
2 Water, Gas and Electric Company and Alliant Energy
3 Resources is granted.

4 That's the only ones I have so far.

5 All right. There's nothing further? This
6 is a great prehearing conference then, right? We
7 basically stand adjourned. Thank you.

8 (Whereupon the hearing in this matter was
9 continued to a later date.)

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1 STATE OF ILLINOIS)
) SS:
2 COUNTY OF SANGAMON)

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4 CERTIFICATE

5
6 I, Tracy Bartolomucci, CSR and Notary Public, do
7 hereby certify that I reported in shorthand the
8 foregoing proceedings and the foregoing is a true and
9 correct transcript of my shorthand notes so taken as
10 aforesaid.

11 I further certify that I am in no way
12 related to or associated with any of the parties or
13 attorneys involved herein, nor am I financially
14 interested in the action.

15
16 *Tracy Bartolomucci*
17 TRACY BARTOLOMUCCI, CSR
18 Notary Public, Sangamon County, IL
 CSR License No. 084-003861

19 Dated this 10th day of
20 March, A.D., 2000

21 My commission expires 3-6-2002
22

